

Notice of Allowability

Application No.

09/589,222

Examiner

Edward R. Cosimano

Applicant(s)

CURRAN ET AL.

Art Unit

3629

My

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed June 07, 2004.
2. ☒ The allowed claim(s) is/are 1-15, 17, 19 and 22-32.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date March 15, 2004.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Edward R. Cosimano
Primary Examiner
Art Unit: 3629

1. Applicant should note the changes to patent practice and procedure:
 - A) effective December 01, 1997 as published in the Federal Register, Vol 62, No. 197, Friday October 10, 1997;
 - B) effective November 07, 2000 as published in the Federal Register, Vol 65, No. 54603, September 08, 2000; and
 - C) Amendment in revised format, Vol. 1267 of the Official Gazette published February 25, 2003.
 2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07 June 2004 has been entered.
 3. The proposed drawing correction filed December 29, 2003 has been approved. Note the requirement below in section 7.
 4. The substitute specification filed 07 June 2004 has been entered and the following page and line designation make reference to that specification.
 5. The use of various trademark(s), for example, Pentium, have been noted in this application:
 - A) in the paragraph between page 7, line 18, and page 8, line 7, "Referring to the product ... Pentium. The ... to obtain a complete list of available chip sets.", note line 4 of this paragraph.
- Any trademarks should be capitalized wherever they appear and be accompanied by the generic terminology.
- 5.1 Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.
 6. The specification and drawings have not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification or drawings.

Applicant should note the requirements of 37 CFR § 1.74, § 1.75, § 1.84(o,p(5)), § 1.121(a)-1.121(f) & § 1.121(h)-1.121(i).

7. In order to avoid abandonment, the drawing informalities noted in the Office action mailed on 15 March 2004, must now be corrected. Correction can only be effected in the manner set forth in the above noted paper. Note above in section 3.

8. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

EXAMINER'S AMENDMENT

In the specification:

Please amend the paragraph between page 7, line 18, and page 8, line 7, of the substitute specification filed 07 June 2004 as amended on 07 June 2004, "Referring to the product ... example, a Pentium. The ... product features list to obtain a complete list of available chip sets.", as follows:

--Referring to the product features window 144 of Fig. 3, after the form factor, the next functional module selected by the user is the processor block. The inquiry window 142 advances and the user is given a list of the standard processors that are currently supported. The user may select, for example, a [Pentium] Pentium®. The VPD requests the user to select an operating frequency. By clicking the desired frequency and pressing the enter key, the information is added to the product feature list in the product features window 144 and the design feasibility window 146 is updated. Based on the processor Selection, a compatible chip set is the Intel TX chip set, so this selection automatically appears in the product feature list of the product features window 144. The user can change the chip set by clicking the chip set block in the product features list of the product features window 144. If the user desires to select another chip set that is not compatible with the processor, the processor may be deleted from the product features list to obtain a complete list of available chip sets.--.

8.1 This Examiner's Amendment corrects an oversight in the amendment filed 07 June 2004.

9. The following is an Examiner's Statement of Reasons for Allowance:

A) the prior art, for example:

(1) Elliott (6,446,053) discloses a computerized designing (CAD) system in which an user connects via a network to centralized computer system and data bases is permitted to view and design an item by using a series of guiding menus for the selection of various forms/components with their associated functions and then determines the estimated cost of the designed item.

(2) either Cornwell (5,255,207) or Heng et al (6,083,275) or Kumagai (6,496,957) discloses a CAD system that permits the user to modify the design of a product within various design constraints, for example, size, manufacturability, etc., and determines cost of the designed product.

(3) Mitsuta et al (4,831,546) discloses that as each object in a layout is selected and placed it is determined if any previously selected and positioned layout objects would be affected by the most recently selected and positioned layout object and if so would the modified layout be feasible if a previously selected and positioned layout object was relocated.

B) however, in regard to claim 1, the prior art does not teach or suggest the automatic prompting of the user to select a form factor based on an automatic feasibility decision of whether a form factor is compatible with a previously selected form factor and it's associated functional and physical attributes. Claims 2-13 are allowable for the same reason.

C) however, in regard to claim 14, the prior art does not teach or suggest the automatic prompting of the user to select a functional module based on an automatic feasibility decision of whether a functional module is compatible with a previously selected form factor and it's associated functional and physical attributes. Claims 15, 17 & 19 are allowable for the same reason.

D) however, in regard to claim 22, the prior art does not teach or suggest the automatic prompting of the user to select an option for a functional module based on an automatic compatibility decision of whether a option for a functional module is compatible with a previously selected functional module and it's associated functional and physical attributes. Claims 23-32 are allowable for the same reason.

9.1 Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.".

10. Response to applicant's arguments.

10.1 All rejections and objections of the previous Office action not repeated or modified and repeated here in have been over come by applicant's last response.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Cosimano whose telephone number is (703) 305-9783. The examiner can normally be reached Monday through Thursday from 7:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss, can be reached on (703)-308-2702. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

11.1 The fax phone number for UNOFFICIAL/DRAFT FAXES is (703) 746-7240.

11.2 The fax phone number for OFFICIAL FAXES is (703) 872-9306.

11.3 The fax phone number for AFTER FINAL FAXES is (703) 872-9306.

07/08/04



Edward R. Cosimano
Primary Examiner A.U. 3629